

DAVID L. ANDERSON (CABN 149604)
 United States Attorney
 SARA WINSLOW (DCBN 457643)
 Chief, Civil Division
 PAMELA T. JOHANN (CABN 145558)
 Assistant United States Attorney

450 Golden Gate Avenue, Box 36045
 San Francisco, California 94102
 Telephone: (415) 436-7025
 Facsimile: (415) 436-7234
 pamela.Johann@usdoj.gov

Attorneys for Defendant UNITED STATES
 DEPARTMENT OF LABOR

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

THE CENTER FOR INVESTIGATIVE
 REPORTING and WILL EVANS,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
 LABOR,

Defendant.

) Case No. 19-cv-05603-SK

)
) **STIPULATION REGARDING ISSUES IN**
) **DISPUTE AND STIPULATED JOINT REQUEST**
) **TO REVISE BRIEFING SCHEDULE**
) **REGARDING MOTIONS FOR SUMMARY**
) **JUDGMENT; ORDER**

The parties, by and through their undersigned attorneys, hereby stipulate pursuant to Civil Local Rule 6-1(b) and 7-12, subject to the approval of the Court, to revise the schedule regarding the parties' Motions for Summary Judgment. The parties also stipulate regarding the issues in dispute. This stipulation is based on the accompanying Declaration of Pamela T. Johann and the following facts:

1. Over the course of the past several weeks, Defendant reevaluated some of the redactions and withholdings that were in dispute with regard to one of Plaintiff's FOIA requests. This process resulted in the release of additional information to Plaintiffs. Following this release, the parties met and conferred regarding the released information and the remaining redactions and were able to reach an

1 agreement regarding Plaintiffs' challenges to Defendant's response. As a result, Plaintiffs are no longer
 2 challenging Defendant's response to Plaintiffs' First FOIA Request dated April 22, 2019, OSHA
 3 tracking number 877092. *See* Dkt. No. 1 ¶¶ 19-26, 42-55 & Exs. A-E.

4 2. Plaintiffs' challenges to Defendant's responses to the Second and Third FOIA Requests
 5 remain in dispute between the parties. Pursuant to a stipulated briefing schedule, as extended by the
 6 parties and Court Order, Defendant's Motion for Summary Judgment is currently due February 28,
 7 2020, and Plaintiff's Cross-Motion and Opposition is due April 1, 2020. The hearing date for the
 8 motions is set for May 18, 2020 at 9:30 a.m. Dkt. No. 20, 22.

9 3. The parties have agreed to adjust the briefing schedule for the remaining issues to allow
 10 Defendant three additional days to file its Opening Brief now that the issues in dispute have been
 11 clarified. In addition, the parties have agreed to revise the remaining of the briefing schedule
 12 accordingly, with the hearing date remaining unchanged. The parties jointly propose the following
 13 revised schedule, subject to the Court's approval:

- 14 a. Last day for Defendant to file Motion for Summary Judgment: March 4, 2020.
- 15 b. Last day for Plaintiffs to file Opposition and Cross-Motion for Summary Judgment:
- 16 April 6, 2020.
- 17 c. Last Day for Defendant to file Reply and Cross-Opposition: April 15, 2020.
- 18 d. Last Day for Plaintiff to file Cross-Reply (if necessary): April 27, 2020.
- 19 e. Hearing: May 18, 2020 at 9:30 a.m.

20 The parties respectfully request that the Court enter an order revising the schedule accordingly.

21 IT IS SO STIPULATED.

22 DATED: February 27, 2020

Respectfully submitted,

23 DAVID L. ANDERSON
 24 United States Attorney

25 /s/ Pamela T. Johann
 26 PAMELA T. JOHANN
 Assistant United States Attorney

27 Attorneys for Defendant

1 DATED: February 27, 2020

THE CENTER FOR INVESTIGATIVE
REPORTING

2
3 /s/ D. Victoria Baranetsky

D. VICTORIA BARANETSKY

4 Attorneys for Plaintiffs

5 I, Pamela T. Johann, hereby attest that I have obtained the concurrence in the filing of this
6 document from D. Victoria Baranetsky.

7 /s/ Pamela T. Johann

8 PAMELA T. JOHANN

ORDER

PURSUANT TO STIPULATION, it is hereby ordered that the schedule regarding the parties' Cross-Motions for Summary Judgment is extended as follows:

Defendant's Opening brief due by March 4, 2020;

Plaintiff's Opposition/Cross-Motion due by April 6, 2020;

Defendant's Reply/Opposition to Cross-Motion due by April 15, 2020;

Plaintiff's Optional Reply to Cross-Motion due by April 27, 2020.

The Motion Hearing remains set for May 18, 2020, at 9:30 a.m. in San Francisco, Courtroom C, 15th Floor.

Dated: February 27, 2020



HON. SALLIE KIM
United States Magistrate Judge